

1 J. Stephen Roberts, Jr.  
2 Federal Defenders of Eastern Washington and Idaho  
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6 Attorneys for Defendant John Isaac Sanger

7 UNITED STATES DISTRICT COURT  
8 EASTERN DISTRICT OF WASHINGTON  
9 The Hon. Thomas O. Rice

10 United States of America,

11 Plaintiff,

12 v.

13 John Isaac Sanger,

14 Defendant.

No. 2:22-cr-0052-TOR-1

**Unopposed Motion to Continue  
Pretrial and Trial Dates**

Spokane - Without Oral Argument

**June 2, 2023 at 6:30 p.m.**

15 Defendant John Isaac Sanger ("Mr. Sanger") moves the Court for a 90-day  
16 continuance of all pretrial and trial deadlines in the above-captioned matter.

17 Mr. Sanger is presently charged by Superseding Indictment in Counts 1, 2-4, and  
18 10 with: one count of Conspiracy to Commit Theft of Government Property and  
19 Possession of Stolen Ammunition, 18 U.S.C. § 371, three counts of Possession of Stolen  
20 Ammunition, 18 U.S.C. §§ 922(j), 924(a)(2); and one count of Possession of an  
21 Unregistered Firearm, 26 U.S.C. §§ 5841, 5845(a), 5861(d), 5871. ECF No. 79. On April  
22 27, 2022, Mr. Sanger was arrested on a Complaint and made his initial appearance. ECF  
23  
24

1 Nos. 9, 11. At that time he waived his right to a detention hearing and remains in pretrial  
2 custody at the Whitman County Jail in Colfax, WA. ECF No. 17.

3 A pretrial conference hearing is currently scheduled for June 7, 2023 at 11:00 a.m.,  
4 and trial is set for June 20, 2023 at 8:30 a.m. in Spokane, Washington. ECF No. 179.

5 Mr. Sanger requests a continuance in the above-captioned matter to resolve his  
6 severance from the U.S. Air Force. Undersigned counsel has been diligently coordinating  
7 with military defense counsel and a newly retained military civilian attorney by Mr.  
8 Sanger's family, yet more time is required to resolve Mr. Sanger's discharge and  
9 potential court-martial. These charges relate directly to the conduct charged in the  
10 federal case and carry potential custody issues that also impact the military case. This  
11 time is excludable under the Speedy Trial Act based on delay associate with "other  
12 proceedings." *See* 18 U.S.C. 3161(h)(1)(B).

13 Assistant U.S. Attorney Patrick Cashman was contacted in regard to the Motion.  
14 The Government does not object to a continuance.

15 Likewise, counsel for the remaining co-defendants who have not pled guilty yet –  
16 Richards and Limacher were contacted in regard to a continuance. There is no objection  
17 to the Motion on behalf of co-defendants Richards and Limacher.

18 Finally, Mr. Sanger was re-advised of his right to a Speedy Trial and agrees to  
19 waive such right. On May 26, 2023, Mr. Sanger consented to undersigned counsel signing  
20 a Waiver of Speedy Trial in support of the motion which will be filed separately.

1 Here, a valid basis for a trial continuance exists, and the ends of justice will be  
2 served by granting a continuance, which outweighs the interests of the public and Mr.  
3 Sanger in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). Notably, denying a continuance  
4 would not only result in a miscarriage of justice, but also deny defense counsel the  
5 reasonable time necessary for effective preparation, taking into account the exercise of  
6 due diligence. *See* 18 U.S.C. §§ 3161(h)(7)(B)(i), (iv). Mr. Sanger also believes this time is  
7 eligible for exclusion under the Speedy Trial Act based on delay from other proceedings.  
8 *See* 18 U.S.C. § 3161(h)(1)(B).

10 Therefore, Mr. Sanger respectfully requests that the Court take the following  
11 actions:

- 12 1) Continue the trial in this matter for 90 days;
- 13 2) Exclude all appropriate time under the Speedy Trial Act;
- 14 3) Extend the pretrial motions deadline accordingly;
- 15 4) Strike the pretrial conference presently set for June 7, 2023, and  
16 reset to a date that is acceptable to the Court in the future.

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18  
19 Dated: May 26, 2023  
20  
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1 Respectfully Submitted,

2 /s/ J. Stephen Roberts, Jr.

3 J. Stephen Roberts, Jr., WA 45825

4 Federal Defenders of

5 Eastern Washington and Idaho

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11 **CERTIFICATE OF SERVICE**

12 I hereby certify that on May 26, 2023, I electronically filed the foregoing with the  
13 Clerk of the Court using the CM/ECF System which will send notification of such  
14 filing to the following: Patrick Cashman, Assistant United States Attorney; David  
15 Miller, counsel for co-defendant Eagleton; Ronald Van Wert, counsel for co-  
16 defendant Robson; Curran C. Dempsey, counsel for co-defendant Richards; Bryan  
17 Whittaker, counsel for co-defendant Jonah Pierce; and Sandy Baggett, counsel for co-  
18 defendant Limacher.

19 /s/ J. Stephen Roberts, Jr.

20 J. Stephen Roberts, Jr., WA 45825

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